TO THE MAYOR AND COUNCILLORS OF THE MACKENZIE DISTRICT COUNCIL

Membership of the Strategy and Policy Committee:
Claire Barlow (Chairperson/Mayor)
Cr Murray Cox
Cr Noel Jackson
Cr Evan Williams
Cr Russell Armstrong
Cr James Leslie
Cr Graham Smith

Notice is given of the Meeting of the Strategy and Policy Committee to be held on Tuesday 4 February, 2014, following the completion of the Planning and Regulation Committee meeting.

VENUE: Council Chambers, Fairlie.

BUSINESS: As per agenda attached

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

STRATEGY AND POLICY COMMITTEE

Agenda for Tuesday, February 4, 2014

APOLOGIES

DECLARATIONS OF INTEREST

MINUTES:

As this is a new committee there are no minutes to confirm.

REPORTS:

1. Submission to the Local Government Act Amendment Bill.

MACKENZIE DISTRICT COUNCIL

REPORT TO: STRATEGY & POLICY COMMITTEE

SUBJECT: SUBMISSION TO THE LOCAL GOVERNMENT ACT AMENDMENT BILL 2013

MEETING DATE: 4/2/2014

REF: FIN 4/23

FROM: **TONI MORRISON**

PURPOSE OF REPORT:

To seek a decision from the Committee as to whether the Council should lodge a submission on the *Local Government Act 2002 Amendment Bill (No 3)*. Such a submission would be drafted based on the attached Recommended Position developed collaboratively by the Canterbury Regional Strategy and Policy Forum.

STAFF RECOMMENDATIONS:

1. That the report be received.

2. That the Committee acknowledges and endorses the collaborative work of the Canterbury Regional Strategy and Policy Forum in developing a recommended position shared between Canterbury councils on the *Local Government Act 2002 Amendment Bill (No 3)*.

3. That the Committee direct staff to develop and lodge a submission on the *Local Government Act 2002 Amendment Bill (No 3)*, and that the submission be based on the Recommended Position developed by the Canterbury Regional Strategy and Policy Forum;

Or **alternatively**

4. That the Council does not lodge a submission on the *Local Government Act 2002 Amendment Bill (No 3)*.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

Paper: *Local Government Act 2002 Amendment Bill (No 3) – Summary of Provisions and Recommended Position by Chief Executives for Mayoral Forum consideration*

BACKGROUND:

Local Government Act 2002 Amendment Bill

The *Local Government Act 2002 Amendment Bill (No 3)* was introduced into Parliament on 4 November 2013. The closing date for submissions on the Bill is 14 February 2014.

The Bill amends the Local Government Act 2002 to:

- change what development contributions can be used for;
- allow for objections to development contributions charges;
- encourage more collaboration and shared services between local authorities;
- make consultation requirements more flexible;
- require a new significance and engagement policy;
- amend/simplify consultation requirements on long-term plans and annual plans;
- remove unnecessary duplication between annual plans and long-term plans;
- introduce new requirements for infrastructure strategies and asset management planning;
- enable elected members to use technology to participate in council meetings, rather than attending in person;
- require councils to disclose information about their rating bases in long-term plans, annual plans and annual reports; and
- require disclosure of risk management arrangements for physical assets in annual reports.

The Bill also includes provisions that enable the Local Government Commission to:

- establish local boards (similar to those in Auckland) as part of new unitary authorities, and in existing unitary authorities; and
- create council-controlled organisations and joint committees as part of a reorganisation scheme.

Canterbury Regional Strategy and Policy Forum

The Canterbury Regional Strategy and Policy Forum (CRSPF) was formed late last year. The Forum consists of one senior staff representative from each Canterbury Council, including Mackenzie District Council. The forum was established to:

- Ensure a strong local government “voice” on issues affecting Canterbury;
- Reduce duplication of policy effort and, as a result, work more effectively and efficiently together;
- Provide support to smaller councils when assessing national and regional policy initiatives;

- Facilitate communication and engagement with Ngāi Tahu;
- Practice working together in ways that support innovation, collaboration and joint initiatives.

The Forum is intended to focus on the larger strategic issues facing the region. Following the release of the Local Government Act Amendment Bill, the Forum has worked on analysis of the Bill and its implications, and established a common position for Canterbury councils to adopt, should Councils decide to submit individually on the Bill.

POLICY STATUS:

N.A.

SIGNIFICANCE OF DECISION:

The decision whether or not to make a Council submission on the Bill is not considered significant.

ISSUES & OPTIONS:

If the Council chooses to make a submission which reflects the consensus reached by the Forum on matters raised in the Bill, this is likely to increase the effectiveness of submissions from Canterbury councils in the region. This applies to matters of concern common to Councils that arise from the proposals in the Bill, as well as those provisions in the Bill that should be supported, if a submission is made. Proposed amendments that are seen as positive include measures that are likely to provide for improvements, efficiencies, and/or increased flexibility in current LGA processes and requirements. It would also show Council's support for the work of the Forum.

Drafting a formal submission would require additional staff time or time redirected from existing work programmes. Work would be needed to evaluate each submission point and formulate a written submission for lodgement. Staff would seek the approval of the Chair of the Committee prior to lodgement of the submission, as timeframes do not allow for it to be brought back before the Committee for approval at its next meeting.

ASSESSMENT OF OPTIONS:

See discussion above. Lodgement of a submission on the Bill will require additional work from staff in a process that, without the analysis and consensus work of the CRS&PF, the Council possibly would not have engaged in, or if it did, it would be in a more simplified form. The Committee may feel that other Councils' submissions cover the points adequately. However, lodging a submission based on the attached document would support the regional approach which is increasingly being taken in Canterbury and would show this Council's support for such an approach.

CONCLUSION:

Submissions on the Local Government Amendment Bill close on 14 February, and a decision is sought from the Committee as to whether the Mackenzie District Council should lodge a submission on the amendments. A summary of the amendments and a recommended position on each has been developed by the CRSPF, and is attached for the Committee's consideration.

Local Government Act 2002 Amendment Bill (No.3) – Summary of Provisions and Recommended Position by Chief Executives for Mayoral Forum Consideration			
Cabinet Decision	**Relevant Amendment Bill Provisions**	**Implications for Canterbury Councils**	**Recommended Position**
A. Efficient and Effective Consultation, Decision-making and Long-term/Annual Plans			
A1. Remove most requirements to use the special consultative procedure (SCP) when consulting under the LGA2002.	**Cl.26/S.86 and Cl. 29/S.93A -** SCP mandatory only for long term planning process and making, amending and revoking Bylaws where there is a significant public interest/impact. **Cl.22/S.82A –** Imposes specific information disclosure requirements in relation to proposals when non – SCP consultation is undertaken.	Currently there are 14 circumstances when mandatory use of the SCP is required. Potential flexibility with use of the SCP could lead to efficiencies in the process of obtaining and inputting community views into decision-making. SCP still available, if chosen, for other engagement circumstances. Recent court decisions have made very literal interpretations of Councils legal position wrt consultation practice. Exercising greater "flexibility' will introduce additional legal risk in consultation practice and so depending on the extent of practice adjustment flexibility may be more apparent than real.	**Support,** noting the increased procedural risk that may arise.
A2. Re-name significance policies as significance and engagement policies and include a new purpose and clearer intent of these policies.	**Cl.18/New S.76AA –**Mandatory requirement for such a policy encompassing existing provision for a significance policy but extending it to be more explicit about the circumstances and methods of community engagement linked to the significance of matters to be considered(ex: consultation policies as part of local governance statements).	New, extended policy development required. Greater forethought to when and how to engage according to circumstance/significance of decision will be challenging to prepare. Greater clarity, flexibility and management of expectations about 'consultation' on the part of the community is possible – but equally as engagement practice diversity increases, so the scope for confusion	**Support.**

		does as well and would need to be carefully managed.	
A3. New techniques for communicating and consulting with the public including technologies for SCP.	**Cl.23/S.83** – Greater specificity but flexibility in the manner in which the SCP is undertaken, including presentation of views by audio and audio-visual link.	Increased encouragement and options for obtaining participation in SCP processes that may enlarge community involvement in decision-making and engender greater confidence in same.	**Support.**
A4. Simplify decision- making requirements.	**Cl.19/S.77(1)(b) –** Reduced mandatory requirement for assessment of options to more straightforward costs and benefits analysis.	A number of the provisions for options assessment now to be deleted relating to future/more qualitative considerations are proposed to be deleted as mandatory considerations. Some of these could be seen as relatively abstract/not particularly relevant/nor well used in many instances. Their deletion could expose Council decisions that include considerations beyond the immediate quantifiable cost/benefit analysis to greater risk of challenge. Some efficiencies may be gained in preparation of advice.	**Support,** noting the increased procedural risk that may arise.
A5. Enable elected members to use technology to participate remotely in decision-making processes.	**Schedule 4/Schedule 7 amended, New Cl. 25A** –provides for remote participation in meetings and hearings, subject to requirements set out in standing orders.	Greater flexibility and potential participation in decision-making processes, but attention needed to procedures, technology and appropriate safeguards that preserve integrity.	**Support.**
A6. Streamlined, plain English consultation document for LTP process and consultation on the Annual Plan would only cover proposed differences from LTP, including new spending proposals.	**Cl.29/New Ss. 93A to 93G and Cl.32/New Ss. 95A and 95B –** Provides for a purpose designed 'consultation document' for the SCP, replacing the 'summary' and prohibits the use of the draft LTP for same. Consultation on Annual Plan only required in certain circumstances of variation to LTP.	Through prescriptive requirements about consultation document contents and format, in addition to those continuing to apply to full LTPs, greater attention and resources into long term planning and related communications is likely to be required. Greater challenge but also opportunity	**Support,** *(provided it is confirmed that the trigger for what constitutes "significant and material difference" in S.95(1)(and so trigger an SCP process) can be determined by an adopted ''significance and engagement policy under Cl./18/S76AA)*, noting that while is It is not clear that these new

		may arise in innovative ways the Councils intent through long term planning is articulated, communicated and understood with the promise that the process becomes one more about effective understanding and engagement than 'generating submissions'. There are risks however that given the large number of matters still to be included in LTP documentation reflecting the diversity and complexity of the local government operating environment, that aspirations for 'clarity and simplicity' will be frustrated.	requirements are necessarily more 'efficient' they do hold the promise of more effective engagement with and public understanding of Council plans, programmes and projects.
A7. New Disclosures in plans and reports.	**Schedule 5/ Schedule 10 amended , new Cls. 15A, 20A, 21A, 30A and 31A –** Rating base data/projections to be included in annual and long term plans/reports; Insurance coverage to be disclosed in annual report.	Minor additional work to prepare disclosure statements. More considered work to project rating assessments. Information is publicly available under LGOIMA. There is a risk that rating disclosures might be used for inappropriate/ spurious comparisons, but much comparative information/this risk has been available/apparent via www.localcouncils.govt.nz for a number of years.	**Support.** Increased transparency.
B. Efficient Delivery and Governance of Local Authority Services			
B1. Strengthen the principles in the Act relating to local authorities to provide greater encouragement to collaborate and cooperate.	**Cl.7/S.14 –** Inserts two new principles relating to active collaboration and prudent stewardship of resources esp. assets.	Brings total number of principles to be considered to 11. Makes explicit what is currently implicit. However the risk is such inclusions could extend the debate about how to resolve apparently conflicting principles in any	**Support.** New principles in themselves are valid considerations, noting the risks arising.

		particular case and further protract the decision-making process.	
B2. Enable the Local Government Commission to create council-controlled organisations, including jointly-owned ones, and joint committees as part of a reorganisation scheme. Clarify that the Local Government Commission can through the reorganisation process, provided for a regional council to exercise powers and responsibilities conferred on territorial authorities.	**Schedule 2/ New Cl. 43 of Schedule 3 –** Further options provided for Local Government Commission determination in the case of reorganisation schemes.	Part of a progressive amendment process to the powers and options available to the Local Government Commission in the event of reorganisation.	**No submission.** Same as E1. - it is unlikely there would be useful purpose served by Councils considering the merits or other wise of enabling provisions relating to reorganisation in the context of a 'submission in common'.
B3. Provide for greater transparency, clarity and accountability in contracting for delivery of services by council-controlled organisations.	**Cl.11/New S.17A and Cl.17/S.61 –** Requires Territorial authorities every three years to review the cost-effectiveness of service delivery arrangements, and sets out the options to be considered including parent council, CCO and joint committee options.	Periodically Councils undertake reviews of service delivery arrangements now and this and collaborative service arrangements and innovation in service delivery happens far more and at a faster rate than is often credited. Typically 75% or more of territorial authorities' expenditure now arises from external inputs rather than internal staff costs with significant ongoing market testing of prices. Such reviews are best undertaken when opportunities arise and these do not necessarily equate with three yearly electoral cycles. This provision requires such reviews to be regular and organisation wide. These could range from simple to more complex review exercises but the idea that effectively at the same time, every three years all local authorities across the country will undertake meaningful assessments of all their service delivery	**Seek amendment** to provide for periodic reviews to be undertaken on a rolling basis and that each activity is subject to review at a lesser interval, i.e. at least once every six years.

		arrangements is not considered practical. A mandatory provision to do this every three years for all activities is unnecessarily prescriptive and inefficient, and places service delivery personnel in an ongoing state of uncertainty regarding organisational arrangements. There are transparency and accountability benefits in Councils periodically considering the best way that their service delivery is organised.	
B4. Broaden the scope of the triennial agreement between councils within each region. Provide a clearer mandate for joint committees.	**Cl.8/S.15 –** Replaced S.15 requiring new mandatory contents of agreements including: - processes and protocols for identifying, delivering and funding facilities and services of regional significance; - processes in relation to the existing provisions in S.16 covering significant new activities proposed by a regional council, and; Enabling provisions around commitments to establish joint committees, or other joint governance arrangements. **Schedule 7 /New Cl.30A -** Provides a clearer mandate but more flexible code for joint committees and similar governance arrangements.	Councils in Canterbury have a successful track record in joint management of regional land fill facilities and joint planning for Greater Christchurch among other such arrangements. Likely to lead to more discussion of such issues and to make explicit what is often implicit and so enhances transparency and accountability.	**Support.** Compliance with these provisions need not be onerous and could contribute to ensure that the 'right debate' happens in a structured and constructive manner and that more useful joint undertakings occur.

B5. Improve provisions relating to the transfer of responsibilities from territorial authorities to regional councils.	**Cl.10/Replaced S.17** – Existing S.17 provides for two way transfer of responsibilities by agreement. Mainly detailed wording changes to existing provision without altering its enabling status. Includes requirement for explicit cost benefit test of a transfer proposal.	Provisions for transfer of responsibilities remain two way, but are typically not well understood/used. Increases the rigour by which such proposals are considered.	**Support.** Provides procedural clarity and certainty as well as testing of transfer proposals.
C. Improving Infrastructure Delivery and Asset Management Planning			
C1. Require local authorities to prepare an infrastructure strategy for at least a 30 year period, and to incorporate this into their long-term plans from 2015	**Cl. 34/New S. 101B –** Mandatory requirement for such a strategy to be prepared and adopted as part of an LTP identifying significant infrastructure issues, options for issues management, management practices and policies; as well as indicative annual capex and opex estimates and assumptions about asset life, service demand and levels of service.	Additional mandatory LTP requirement entailing significant amount of preparatory work. Key elements of the strategy to be included in LTP consultation document. This provision extends infrastructural but not non-infrastructural groups of activities focus in LTPs from up to 10 (as is the practice) to 30 years, adding detail and complexity to the LTP document and related processes. This added complexity runs counter to the drive to simplify and streamline LTP process and gain focused engagement around the proposal set out in it, in detail for the first three years and in outline for the following seven years. Significant assumptions are required in order for the strategy to be meaningful - about the pattern of land use demand and growth giving rise to infrastructural service demands over a 30 year period - without the parallel requisites of land use and transport strategies of standing being in place to support this.	**Note** that Councils support the inclusion through Cl.7/S.14 amendment a principle around prudent stewardship of resources, but **Oppose** proposed provision, with **Alternative proposed** There is no argument about the merits of AMPs for long life assets. But distracting LTPs into longer term more speculative debate about decisions needed much further into the future without proper context is counterproductive to achieving the aspirations about a focused and more meaningful LTP process and outcome. **Propose** that these provisions be withdrawn and further considered in the context of a review and integrated reform of the three principle planning statutes (LGA/RMA/LTMA) to achieve meaningful long term strategies.

		Nor is there parallel clarity/certainty about the Crown's long term infrastructural strategies/funding policies esp. in transportation that go to make such strategies meaningful. The local government sector has long argued for fundamental reform of the three key planning statutes to achieve meaningful, integrated long term plans and for Government to extend its planning horizons so communities have greater clarity about its intentions as well as imposing this obligation on local government. By choosing to extend the horizon for LTP planning in this partial and incomplete way, there are real risks of an imbalanced and partial long-term view being taken of Councils activities and significant confusion and loss of credibility of LTP processes. Smaller councils in particular may encounter real cost and difficulty in own- resourcing the preparation of the underlying assumptions upon which such a strategy would rely for meaning and relevance. By including such strategies in a ten year LTP they become exposed to audit and it is not clear about the practicality and usefulness of subjecting them to conventional audit methodology. A 30 year period is unlikely to trigger a	

		renewal cycle for any new, yet to be implemented long life assets and so such a strategy - if it is to be required - could usefully be focused on renewal and replacement of existing assets so as to provide assurance through the LTP that Councils have adequate plans and policies in place to achieve necessary asset service performance, and risk management.	
C2. Reinstate the purpose of water and sanitary services assessments that were inadvertently removed in the 2010 amendments.	**Cl.42/New S.126** – statement to purpose of water and sanitary services assessments.	Minor amendment which reinstates clarity and reduces potential confusion and variation without adding any new obligations.	**Support**.
D. Development Contributions Regime			
D1. New development contributions purpose and principles	**Cl.48/New S.197AA -** New Purpose statement directing that DCs exist to recover a fair, equitable and proportionate portion of the capital costs of infrastructure that is required to service growth. **Cl.48/New S.197AB -** New set of principles to be taken into account when preparing and administering DC policies including need, efficiency, equity, accountability, transparency, certainty.	Will require review of DC Policies for which an SCP is discretionary. Greater prescription in documenting policies and their rationale will produce greater clarity and consistency across Councils and the potential for greater public understanding of them - but at increased compliance cost. Given that the Bill also opens up greater opportunity for challenge to decisions to be made in accordance with DC policies this has potentially positive and negative implications - by perhaps discouraging frivolous objections on the one hand but increasing them in other circumstances. Seek to have increased potential for legal challenge by these provisions to be mitigated by accompanying practice guidance.	**Support**. It is hard to argue that clarity in legislative purpose is not a good thing and to this extent this brings Subpart 5 of Part 8 of the Act into line with other parts of the Act where policy-making discretion is imposed. In relation to principles those proposed do make clear to an at times sceptical Development Community the legitimacy of DCs and instil confidence in the regime. *(NB detailed submissions needed to address identified wording issues in relation to the principles)* **Propose** in **addition** practice guidance be developed to ensure consistent interpretation.
D2. Clarifying and narrowing the range of infrastructure for which development contributions can be charged	**Cl.49/S.197(2)** - Amendment of the current definition of community infrastructure and substituting a narrower list of	Reduces the scope of DCs for community infrastructure by excluding facilities the demand for which is related to development, including	**Oppose.** Those elements of community infrastructure being excluded are causally related to development in the same way that

	local as opposed to community-wide infrastructure including community or neighbourhood halls, play equipment on neighbourhood reserves and public toilets **Cl.51/S.198A. -** Removes ability to charge Community Infrastructure DCs on commercial or industrial developments where these do not create new dwellings.	libraries, swimming pools, community sports centres and other facilities in parks and reserves. A consequence of this is cost shifting to rates funding and misalignment between the exacerbator of demand – development – and the existing community. A heightened risk of lack of provision of community facilities to support growth is created. Increased potential arises for dispute about what now constitutes community infrastructure and increased uncertainty about how some facilities, which would be excluded from DC funding, would actually happen.	elements of network infrastructure are. Concerns about lack of recognition of wider community benefit in apportionment of benefits and costs are addressed by other DC related provisions of the Bill. Disputes likely now about what constitutes neighbourhood scale community infrastructure and what doesn't arise, esp. given the differing large metro and small town contexts within which 'neighbourhood' is a relative concept. Commercial and industrial development can and does through increasing concentrated daytime populations generate demand for community facilities in the same way that such development has a causal relationship with network infrastructure. Establishing 'causal nexus' and a substantiated case for levying is addressed by other DC related provisions of the Bill.
D3. Improving the transparency of development contributions policies.	**Cl.55/S.201A** - DC policies to contain a schedule that lists by area and type individual DC related assets and work programmes, their cost and the proportion to be funded by DCs and by other sources.	Highly prescriptive and detailed future potential asset registers will be required - implying a degree of precision in the design of new developments and areas out in to the future that will not be available/is not practical/not justifiable at the initial stage of design leading to identification of the need for DC funded infrastructure and reserves. Will likely give rise to frequent and ongoing schedule changes - as foreshadowed in the Bill – and that schedules will be so large in some cases they will be impractical to publish in	**Oppose**. Considerable practical issues in implementation at this level of specificity mitigates against the apparent transparency gains. **Propose** as an **alternative**, practice guidance be developed – nuanced to the variation in development and community circumstances across districts and regions - rather than highly prescriptive legislative requirements to give a better outcome.

		hard copy – also as contemplated by the Bill. These practical issues present a rich source of potential delay in consenting processes, and dispute and litigation given the increased opportunity to challenge DC policy implementation.	
D4. Encourage greater private provision of infrastructure through the use of development agreements	**Cl.60/New Ss.207A to 207F** - provision for voluntary development agreements to enable private provision of infrastructure including minima specification of matters such agreements are to contain and including provision that such agreements can only require what already is liable under DC policies and don't impose consenting obligations or rights.	The ability for TAs and private parties to enter into agreements to provide community facilities exists now and is in ongoing use. Typically the lower cost of capital and tested, continuous contracting resources available to Councils mitigates against private provision, but there is nothing stopping it. Experience shows agreements are typically situation specific and imposing statutory compliance requirements is likely to limit innovation rather than embrace it.	**Oppose**. Making specific provision for and setting strictures on such agreements in the Act does not really 'add value'. At best it only codifies what is already happening and could if anything due to the limits imposed, inhibit the use of such agreements. **Propose** as an **alternative g**ood practice guidance to suffice and likely to give a better outcome.
D5. Introducing a development contributions internal reconsideration and independent objection process, with decisions made by commissioners	**Cl.57/New S.202A** - DC policies to contain procedures for persons or parties to request reconsideration of DC charges **Cl.45/S.150A; Cl.53/Ss.199A to 199N -** Right to request a reconsideration of DCs requirement decision and to object to a reconsideration decision to independent commissioner and to seek a review without first having sought reconsideration. Commissioner decisions to be binding on parties. Able to set fees to recover costs of objection process. National register of Commissioners to be maintained. Details of objection process set	Councils would need to establish/adjust existing systems and procedures for decision reconsideration and the holding of hearing of objections to DC decisions and identify suitable Commissioners to be available to decide on objections. While direct administrative costs of the objections process can be recovered from objectors additional costs that are unrecoverable are certain. Development policies through annual and long term planning processes have been subject to scrutiny and challenge since first introduced and applicants have always had the opportunity to request reconsideration of proposed charges.	**Support** formalising a consistent DCs reconsideration process based on being (and being seen to be) responsive to upholding the principles of natural justice in the ability to seek reconsideration of an administrative decision by officials of a territorial authority, but… **Oppose** prescribing a new, detailed, quasi-judicial objections process overseen by a separate category of commissioners as a disproportionate response to an undemonstrated need; the potential for which in any event is reduced by other DC related provisions of the Bill. This also runs counter to experience demonstrating that the best

	out in **Schedule 13A.** No right of appeal to Commissioner decision other than right of judicial review. Grounds for objection specified in the Bill suggesting 'test of reasonableness in the circumstances of the development' and not to include DC policy per se.	Greater visibility and consistency in the ability to seek reconsideration of DC decisions may contribute to greater public confidence in Councils transparency and accountability, but institutionalising a whole new class of objection proceedings is an inefficient and disproportionate response to a potential problem of poor policy and its implementation which other provisions of the Bill seek to address/reduce in any case. The recourse avenue of judicial review remains available to dissatisfied parties for significant DC-related disputes. Litigious rather than collaborative behaviours are promoted by the objection process which runs counterproductive to good outcomes.	outcome is achieved by non-litigious, collaborative engagement between Councils and Developers to resolve issues – with whom typically they have an ongoing relationship – such an approach being much more conducive to achieving the best outcome on the ground. *(NB detailed submissions needed to address identified wording issues in relation to the 'grounds for reconsideration' provisions and while provisions enabling objections recourse to commissioners are opposed should they be retained, detailed submissions may be valid in relation to some of the wording relating to the grounds for objection).*
D6. Clarifying legislative provisions to make them more workable and easier to understand.	**Cl.49(1)/S.197(1)** - Clarify definition of "development". **Cl.58/S.203(2) and Cl. 48/S.197AB** - Provides for consideration of cost/benefit over life of asset beyond ten year period when calculating DCs and for PPI Index adjustment of costs/charges. **Cl.50/S.198(1)(b)** DCs payable when issuing certificates of acceptance. **Cl.54/S.200(1)(b)** - Clarifying provision for DC's to be charged while also charging rates to partly	Technical amendment. Provides certainty over whole of life consideration of projects for purposes of calculating DCs. Limits potential for otherwise qualifying developments to avoid DCs. Minimises risk of inappropriate challenge to DCs.	**Support.** **Support.** *(NB detailed submissions needed to address identified wording issues in relation to principle (b)* **Support.** **Support.**

	pay for growth. **Cl.52/S.199(2)** - Clarifying provision for DCs to fund infrastructure in anticipation of development. **Cls.3&24 of Schedule 5 amending Schedule 10 -** Clarifying provision for disclosure of projected costs of Cap. Exp. in plans and reports.	Minimises risk of inappropriate avoidance of DCs. Greater clarity for all concerned in disclosures about apportionment of costs between growth related and other causes.	**Support.** **Support.**
E. Local Boards Outside Auckland			
E1. Enable the Local Government Commission to (outside of Auckland): • consider the option of local boards during any proposed reorganisation, and establish them as part of new unitary authorities; and • consider establishing local boards in existing unitary authorities, and deal with these proposals through a shorter reorganisation process.	**Cl.15/New subpart 1A of Part 4** – Enabling provision for Local Boards largely based on similar provisions that apply to Auckland to be established upon reorganisation.	There are no Unitary Authorities in Canterbury and no currently active processes in relation to local government structure in the region. Views will differ widely about the merits of unitary structures per se regardless of the potential role of local boards.	**No submission.** It is unlikely there would be useful purpose served by Councils considering the hypothetical merits or other wise and the detail of Local Board provisions in the context of a submission in common.